

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

JAN 11 2016

for the
District of New MexicoMATTHEW J. DYKMAN
CLERKUnited States of America
v.
Camille Lovato

Case No.

16mj118

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 9, 2016 in the county of Sandoval in the
District of New Mexico, the defendant(s) violated:*Code Section*
18 U.S.C. Sec. 113(a)(3)*Offense Description*
Assault with a dangerous weapon, with intent to do bodily harm.

18 U.S.C. Sec. 113(a)(6)

Assault resulting in serious bodily injury.

This criminal complaint is based on these facts:

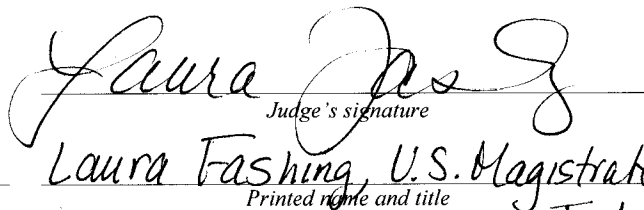
See attached affidavit

☒ Continued on the attached sheet.

Complainant's signature

Ross Zuercher, Special Agent - FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: 1/11/2016City and state: Albuquerque, New Mexico

Judge's signature

Laura Fashing, U.S. Magistrate
Printed name and title
Judge

AFFIDAVIT

Your Affiant, Ross Zuercher, having been duly sworn, does hereby depose and say:

INTRODUCTION

- I have been a Special Agent (SA) of the Federal Bureau of Investigation (FBI), United States Department of Justice, since August 2012. As such, I am a "federal law enforcement officer" within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request arrest warrants. I am currently assigned to the FBI's Albuquerque Violent Crime Program, as such, I am authorized to investigate crimes occurring on Native American lands. The information set forth in this affidavit was derived from my own investigation and/or communicated to me by other sworn law enforcement officers of the FBI, the Bureau of Indian Affairs and the Pueblo of Santo Domingo Police Department.. Because this affidavit is submitted for the limited purpose of securing an arrest warrant, your Affiant has not included each and every fact known to me concerning this investigation. Your Affiant has set forth only those facts that your Affiant believes are necessary to establish that probable cause to support a criminal complaint against CAMILLE LOVATO in violation of Title 18 U.S.C. §§ 113(a)(3), (a)(6), and 1153.

RELEVANT STATUTES

- This investigation concerns alleged violations of certain activities relating to crimes occurring in Indian Country; Title 18 U.S.C. §§ 113(a)(3), (a)(6), and 1153.
 - 18 U.S.C. § 113(a)(3) makes it a federal crime for any person who assaults another with a dangerous weapon, and with intent to do bodily harm.
 - 18 U.S.C. § 113(a)(6) makes it a federal crime for any person who has assaulted another which resulted in serious bodily injury.
 - 18 U.S.C. § 1153(a) makes it a federal crime for any Indian who commits against the person or property of another Indian or other person any of the following offenses, namely assault.

DETAILS OF THE INVESTIGATION

- On January 9, 2016, the Albuquerque Division of the FBI was notified of the stabbing of John Doe in the Pueblo of Santo Domingo, New Mexico. The stabbing was done by Camille Lovato (LOVATO) in a residence located in the Pueblo of Santo Domingo, which is Indian Country in the district of New Mexico.
- According to VC, an acquaintance of John Doe and LOVATO, both John Doe and LOVATO were playing a card game inside a residence located in the Pueblo of Santo Domingo, which is Indian Country in the district of New Mexico. LOVATO's son, who is a minor, started to frustrate John Doe, who made several comments to LOVATO about disciplining her son, and an argument ensued between the two. LOVATO pushed John Doe, who pushed LOVATO

back. VC attempted to break up the argument by getting between LOVATO and John Doe. While VC was holding John Doe back, LOVATO gained access to a knife, reached around VC, and stabbed John Doe in the chest. John Doe said that he thought he had been stabbed, and VC took the knife away from LOVATO.


- John Doe went into the bathroom to clean the blood from his chest. VC told John Doe that he needed to go to the hospital. CC, the sister of VC, and her boyfriend transported John Doe to the University of New Mexico (UNM) Sandoval Regional Medical Center. John Doe was then transported to UNM Hospital (UNMH) in Albuquerque, New Mexico. John Doe's diagnosis was a collapsed lung as a result of the stabbing. John Doe underwent surgery, and is currently at UNMH.
- LOVATO was placed under arrest by tribal police for simple assault and resisting arrest.
- LOVATO is currently at the Sandoval County Detention Center.

FEDERAL JURISDICTION

- Lovato is currently enrolled a tribal member of the Pueblo of Santo Domingo.
- John Doe is also enrolled as a tribal member of the Pueblo of Santo Domingo.
- The stabbing of John Doe entirely took place within the exterior boundaries of the Pueblo of Santo Domingo.


CONCLUSION

- Based on all of the above information, your Affiant submits there is probable cause to believe that CAMILLE LOVATO, violated 18 U.S.C. §§ 113(a)(3), (a)(6), and 1153. Your Affiant requests an arrest warrant based upon the criminal complaint in this matter.
- Assistant United States Attorney Kyle Nayback has authorized federal prosecution in this matter.
- I swear that this information is true and correct to the best of my knowledge.



Ross Zuercher, Special Agent - FBI

SUBSCRIBED and SWORN to before
me this 11th day of January, 2016.



United States Magistrate Judge